

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
NORTHERN DIVISION  
2:14-CR-08-BO

UNITED STATES OF AMERICA,

v.

THEODORE HALL

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ORDER

This matter is before the Court on defendant Theodore Hall's motion for the return of property which was seized from him during the investigation that led to his conviction. [DE 38]. Mr. Hall states that he was "erroneously coerced and manipulated into entering a plea agreement which called for him to sign over" said property. [DE 39].

The government has responded to defendant's motion. [DE 41]. The Court agrees that the relief sought by defendant is that which would result from a successful motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. Thus, the Court hereby NOTIFIES defendant of its intent to construe his letter as a motion pursuant to 28 U.S.C. § 2255. *Castro v. United States*, 540 U.S. 375, 377 (2003). The Court further warns defendant of the effects of filing a motion pursuant to § 2255, including the restrictions on second or successive § 2255 motions, and advises him as to the requirements of a § 2255.

If defendant does not wish his letter to be construed as a motion pursuant to 28 U.S.C. § 2255, he must so notify the Court and withdraw or sufficiently amend his motion within forty-five (45) days of the date of entry of this Order.

SO ORDERED, this the 31 day of March, 2015.

  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE